

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

ANTHONY AMAKER,
Plaintiff,

v.

ORDER
10-CV-977A

BRIAN S. FISCHER, et al.,
Defendants.

The above-referenced case was referred to Magistrate Judge H. Kenneth Schroeder, Jr., pursuant to 28 U.S.C. § 636(b)(1)(B). On September 27, 2013, Magistrate Judge Schroeder filed a Report and Recommendation, Dkt. No. 57, recommending that plaintiff's motion for a temporary restraining order and preliminary injunction be denied.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Schroeder's Report and Recommendation, plaintiff's motion for a temporary restraining order and preliminary injunction, Dkt. No. 36, is denied.

The case is referred back to Magistrate Judge Schroeder for further

proceedings.

SO ORDERED.

s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT JUDGE

DATED: January 8, 2014